

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

• • • • •

Group Art Unit: 3748

Examiner: Unassigned

For: GAS TURBINE HEAT EXCHANGER
ASSEMBLY AND METHOD FOR
FABRICATING SAME

RECEIVED
JUL 21 2004
LICENSING & REVIEW

Sir:

Respectfully submitted,

Robert B. Reeser III
Reg. No. 45,548
Armstrong Teasdale LLP
One Metropolitan Square, Suite 2600
St. Louis, MO 63012
(314) 621-5070

135830
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Peter R. Hull et al.	:	
	:	Art Unit: 3748
Serial No.: 10/828,663	:	
	:	Examiner: Unassigned
Filed: April 21, 2004	:	
	:	
For: GAS TURBINE HEAT EXCHANGER	:	ATTN: LICENSING AND REVIEW
ASSEMBLY AND METHOD FOR	:	
FABRICATING SAME	:	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attn: Licensing and Review

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JUL 21 2004
LICENSING & REVIEW

**DECLARATION UNDER SECTION 305(c) OF THE
NATIONAL AERONAUTICS AND SPACE ACT OF 1958**

Sir:

We, **Peter R. Hull** and **Robert Vandermolen**, do hereby declare:

That we are the inventors of the invention described and claimed in the above-referenced U.S. patent application;

That the invention was made while we were employed by the General Electric Company, the assignee of the subject invention, using facilities, equipment, materials, funds, information and services furnished by the General Electric Company;

That the invention set forth in the above-referenced U.S. Patent Application was not made (conceived or first actually reduced to practice) under nor is there any known relationship of the making of the invention to the performance of any work under any contract of the National Aeronautics and Space Administration;

That all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

APR 16, 2004
Date

Peter R. Hull
PETER R. HULL

Date

ROBERT VANDERMOLLEN

135830
PATENT

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Date

4/16/04
Date

PETER R. HULL

Robert J. Vandermolen
ROBERT VANDERMOLLEN



IFW
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/828,663	04/21/2004	Peter R. Hull	135830

John S. Beulick
Armstrong Teasdale LLP
Suite 2600
One Metropolitan Square
St. Louis, MO 63102

EXAMINER	
ART UNIT	PAPER NUMBER
PATENT & TRADEMARK OFFICE	

MAILED

DATE MAILED:

JUL 15 2004

LICENSING & REVIEW

**IF NO RESPONSE TO THIS NOTICE IS RECEIVED WITHIN FORTY-FIVE DAYS, A
FORMAL REQUIREMENT WILL BE ISSUED**

The subject matter of this application appears to:

- ☐ be "useful in the production or utilization of special nuclear material or atomic energy" as recited in 42 U.S.C. 2182 (Department of Energy (DOE)).
- ☒ "have significant utility in the conduct of aeronautical and space activities" as recited in 42 U.S.C. 2457 (National Aeronautics and Space Administration (NASA)).

Accordingly, no patent can issue on this application unless applicant(s) file a statement (under oath or in the form of a declaration as provided by 37 CFR 1.68) setting forth (1) the full facts concerning the circumstances under which the invention was made and conceived and (2) the relationship (if any) of the invention to the performance of any work under any contract or other arrangement with the Agency(ies) noted above. On the reverse side of this form is an example of an acceptable format for this statement. The language appearing in paragraphs III and/or IV of the example *must* appear if applicant is attempting to establish that no relationship (under item 2 above) exists.

If the invention disclosed in this application was developed under a contract, grant or cooperative agreement between the Agency indicated above and a person, small business or non-profit organization and rights to the invention have been determined by specific reference to 35 U.S.C. 202 in the contract, grant or cooperative agreement, then applicant need not submit the statement described above. Instead, applicant may file a verified statement (under oath or in the form of a declaration, 37 CFR 1.68) setting forth the information required by 35 U.S.C. 202(c)(6).

IF NO STATEMENT HAS BEEN RECEIVED WITHIN FORTY-FIVE DAYS OF THE MAIL DATE INDICATED ABOVE, a formal requirement for statement will then be issued. No provision is made for extension of the statutory thirty-day period for response to the formal requirement and the penalty for failure to file an acceptable and timely statement is abandonment of the application. Therefore, applicants are strongly encouraged to submit a statement at this time in order to avoid the issuance of a formal requirement.

IT IS IMPORTANT TO NOTE that the statement must accurately represent the property rights situation of the claimed invention if and when the application is found allowable. Thus, if during prosecution before the examiner, the claimed invention is so altered or the property rights situation so changed as to impact the accuracy of a statement submitted earlier, a supplemental statement must be filed. Failure to submit such additional information where appropriate may be considered a false representation of material facts and render the patent owner vulnerable to loss of patent rights and other sanctions as set forth in the statutes. The PTO will not review allowed applications for this possibility. *ENTIRE*
Date: *7/20/04*
By: *mcc*

Any questions regarding this requirement should be directed to Licensing and Review at (703) 306-4191.

**PLEASE DIRECT ALL COMMUNICATIONS RELATING TO THIS MATTER TO THE
ATTENTION OF LICENSING AND REVIEW**

12729-373

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Peter R. Hull, et al. :
Serial No.: 10/828,663 : Group Art Unit: 3748
Filed: April 21, 2004 : Examiner: Unassigned
For: GAS TURBINE HEAT EXCHANGER ASSEMBLY :
AND METHOD FOR FABRICATING SAME :

**CERTIFICATE OF MAILING BY EXPRESS MAIL TO
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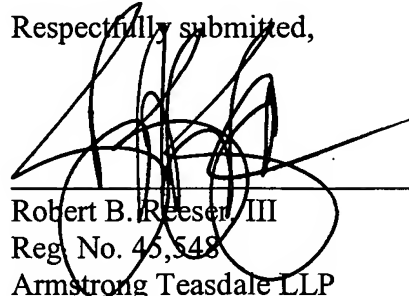
RECEIVED
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LICENSING & REVIEW

I hereby certify that the documents listed below:

- Response to Notice re NASA (1 page)
- Declaration Under §305(c) of the NASA Act of 1958 (4 pages)
- Copy of Request for NASA Declaration (1 page)
- Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Attn: Licensing and Review.

Respectfully submitted,


Robert B. Reeser III
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Armstrong Teasdale LLP
One Metropolitan Square, Suite 2600
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(314) 621-5070



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EP-13F February 2002

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